

MAR 25 2008

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

MOLLY DWYER, ACTING CLERK  
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

JORGE ERASMO ALVARES;  
JOSEFINA ALVARES,

Petitioners,

v.

MICHAEL B. MUKASEY, Attorney  
General,

Respondent.

No. 04-73448

Agency Nos. A79-541-420  
A79-541-421

MEMORANDUM<sup>\*</sup>

On Petition for Review of an Order of the  
Board of Immigration Appeals

Submitted March 18, 2008<sup>\*\*</sup>

Before: CANBY, T.G. NELSON, and BEA, Circuit Judges.

Jorge Erasmo Alvares and Josefina Alvares, husband and wife and natives  
and citizens of Mexico, petition pro se for review of the Board of Immigration

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<sup>\*</sup> This disposition is not appropriate for publication and is not precedent  
except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> The panel unanimously finds this case suitable for decision without  
oral argument. *See* Fed. R. App. P. 34(a)(2).

04-73448

Appeals' ("BIA") order denying their motion to reopen removal proceedings. Our jurisdiction is governed by 8 U.S.C. § 1252. We dismiss in part and deny in part the petition for review.

We lack jurisdiction to consider petitioners' contention that the agency erred in finding that Jorge Alvares failed to establish good moral character, because petitioners did not file a petition for review within 30 days of the BIA's March 30, 2004 decision. *See* 8 U.S.C. § 1252(b)(1); *see also* *Martinez-Serrano v. INS*, 94 F.3d 1256, 1258 (9th Cir. 1996).

Petitioners have waived any challenge to the BIA's June 14, 2004, order by failing to address the order in their petition. *See id.* at 1259-60.

**PETITION FOR REVIEW DISMISSED in part; DENIED in part.**